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Zac Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

### NOTICE OF PUBLIC HEARING ON PROPOSED REVISIONS TO 30 TAC CHAPTER 285

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 285, On-site Sewage Facilities, §§285.3-285.6, 285.32-285.35, 285.90, and 285.91, under the requirements of Texas Government Code, Chapter 2001, Subchapter B.

The proposed rulemaking would update the rule requirements in the rule to remove the requirements for drainage easements; clarify that a permit and an approved plan is required to construct, alter, repair, extend, or operate an On-Site Sewage Facility; exempt subdivisions when one tract is divided into two five-acre or larger tracts from submitting planning materials; allow the repair or alteration of existing cluster systems; update tank sizing requirements; update formulas for leaching chambers; the addition of language relating to the new or replacement disinfection devices; the addition of equalization tank requirements; clarify what constitutes an emergency repair; and update figures and tables.

The commission is seeking comments related to the efficiency of NSF certified disinfection devices and the impacts of transitioning to the mandatory use of such devices by requiring the use of NSF certified disinfection devices in on-site sewage facilities after a specified date. The commission specifically requests comments on the efficiency of disinfection devices, the cost of disinfection devices to the consumer, and an appropriate effective date.

The commission will hold a public hearing on this proposal in Austin on August 6, 2012 at 2:00 p.m. in Building E, Room 201S, at the commission's central office located at 12100 Park 35 Circle. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services at (512) 239-1802. Requests should be made as far in advance as possible.

Written comments may be submitted to Charlotte Horn, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at:

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*<http://www5.tceq.texas.gov/rules/ecomments/>*. File size restrictions may apply to comments being submitted via the *eComments* system. All comments should reference Rule Project Number 2012-023-285-CE. The comment period closes August 13, 2012. Copies of the proposed rulemaking can be obtained from the commission's Web site at *[http://www.tceq.texas.gov/nav/rules/propose\\_adopt.html](http://www.tceq.texas.gov/nav/rules/propose_adopt.html)*. For further information, please contact Candy Garrett, Program Support Section, (512) 239-1457.